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Chad McKinney
Pro Se
6266 Madeline St Apt #61
San Diego, CA 92115
619-634-3566

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FILED

2008 MAR 14 PM 3: 29

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY_____KNH_____DEPUTY

THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

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6   CHAD MCKINNEY, an individual,

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10   Plaintiff,

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14   v.

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16   APOLLO GROUP INC., UNIVERSITY OF
        PHOENIX , a Corporation, MECHELLE
17   BONILLA, an Enrollment Manager at
        UNIVERSITY OF PHOENIX, KYAN
18   FLYNN, Director of Enrollment at
        UNIVERSITY OF PHOENIX, APRIL
19   ALCORN, an Employee Relations
        Consultant at UNIVERSITY OF PHOENIX
20   CARLYN LINDSTEN, Associate Director of
        Enrollment at UNIVERSITY OF PHOENIX

21

22   Defendants

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)   CIV. Case No.07-cv-2373 WQH CAB
)
)   FOR VIOLATION OF FEDERAL
)   FALSE CLAIMS ACT AND FOR
)   VIOLATION OF THE
)   THE CIVIL RIGHTS ACT 1964 AND
)   THE AMENDMENTS TO TITLE
)   VII OF THE CIVIL RIGHTS ACT OF
)   1991
)
)
)
)
)   RETALIATION- WRONGFUL
)   TERMINATION &
)   EMPLOYENT DISCRIMINATION
)   CIVIL ACTION
)
)
)
)
)
)   **Plaintiff's Motion for Default Judgment**
)   No oral hearing date unless
)   requested by the court.
)   Hearing date: April 21, 2008
)   time : 11:00a.m.
)
)   Demand for Trial By Jury Pursuant
)   to U.S. Constitution, 7th Amendment
)
)   March 14, 2008
)
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PLAINTIFF'S MOTION FOR CLERK'S ENTRY OF DEFAULT

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3   Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, and any other relevant

4   Federal Rule of Civil Procedure pertaining to this case, plaintiff Chad McKinney, Pro Se,

5   respectfully moves the Court to enter a default against the defendant Mechelle Bonilla, in the

6   amount of $5,000 since the Defendant has failed to plead or otherwise defend herself against

7   the plaintiff's original complaint within the timeframe required by the Federal Rules of Civil

8   procedure. The Complaint was originally filed with the Court on December 19th 2007 and

9   entered December 20th. The defendant was served on February 4, 2008. (Please see copy of

10 Return of Service).

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12 In support of this motion, the Plaintiff states with supporting evidence:

13   11. This complaint was filed on December 19, 2007

14   12. This complaint was properly served on January 31, 2008

15   13. As of the 12th of March 2008, the Defendant is late 37 days.
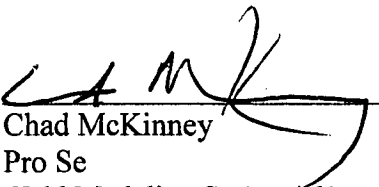
16   14. The plaintiff's complaint requests punitive damages of $5,000, so a default judgment

17   in this amount should be deemed reasonable.

18   15. Said defendant is not an infant or incompetent, but an individual who was given ample

19   time to respond within the timeframe required by the Federal Rules of Civil Procedure.

20   No extra time was requested by the defendant nor granted by the Court.

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1 WHEREFORE, the Plaintiff respectfully request that this Court issue and Order a Default

2 against the Defendant in the amount of $5,000 to reasonably cover the damages incurred by

3 the plaintiff.

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5 Respectfully submitted,

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7 Chad McKinney
   Pro Se
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   San Diego, CA 92115
9 619-634-3566

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